

# CLIMAX REACHED.

Argument of Senator Borah Grows Intensely Dramatic.

Parades a Quintette of the Accused Before the Jury.

HESAYS 'WATCH THEM'

And a Concerted Conspiracy Has Been Proven.

Haywood "Got Busy" as Soon as Orchard Was Caught.

Boise, Idaho, July 26.—"Watch these five men—Simpkins, Orchard, Haywood, Moyer and Pettibone—Steenberg is to die in 20 days. Watch them! We have got them together! They are moving to the scene."

This was the dramatic climax reached this morning in the Haywood trial when for an hour and a half Senator Borah, making the last argument in the Haywood case, had woven craftily on the meshes of his net. His theme was conspiracy—the essence of the case of the state of Idaho in its effort to show that Harry Orchard was only the tool of Haywood when he killed the former governor.

"Now watch this quintette," he cried triumphantly, when, having laid his foundation, piece by piece, using only the testimony of the court, he showed the defense itself, picking it from the mass of mixed material, he showed the intimacy between Orchard and the highest officials of the Western Federation of Miners.

The argument of the morning centered in Caldwell, but the scenes changed rapidly, each flash showing an officer, a friend of the Western Federation of Miners, the confidant and intimate of Harry Orchard.

Hundreds Turned Away. As early as 7 o'clock the court house doors were besieged by hundreds seeking admittance to the limited court room. Senator Borah, being popular as an orator in this, his home city, who great was the number of people who came to see him. Officials and others having business at the trial had to find their way into the building by various ways, most of them climbing a steep improvised stairway in the rear. The jury was also brought up these steps.

Inside the court, as the next to the last day of the trial began, Harry Orchard, surrounded by his family. His invalid wife, whose helpless condition and pallid face have already attracted so much attention and sympathy, sat immediately at his right and next to her was the defendant's mother, who on yesterday could not restrain the tears which welled to her eyes.

Senator Borah said he was ready to admit that Haywood was a free, keen and possessed of brains. Orchard, he said, was a brainless man. He had brains enough to start a defense of the Western Federation of Miners, the minute he learned that Orchard, the hired assassin had fallen into a trap.

"Did the Pinkertons send any one to defend Orchard? Did the mine owners? It was the Western Federation of Miners," he asked.

Answering at great length the theory of the defense that attempts on the life of Fred Bradley at San Francisco were made by Orchard, Senator Borah pointed out that the latter would directly from Denver to San Francisco, where he would be arrested. Orchard in San Francisco and ridiculed the theory of a gas explosion.

"And," cried Senator Borah, "when Orchard gets ready to leave San Francisco, where does he go? Back to Denver. What for? To get his money. The deed was done, the money was paid."

Hardly need to tell you sensible men," he declared, "that the Pinkerton detectives had nothing to do with the assassination of Frank Steenberg. That is one of the most absurd of the many old things brought into the case by learned counsel of the defense."

Senator Borah in laying the foundation for his argument on conspiracy pointed out that Orchard went to Caldwell from Denver and fresh from the Western Federation of Miners who regarded Steenberg as an enemy. Then he touched upon the fact that Martin Moore, an officer of the Western Federation of Miners, in testifying for the defense, admitted that he agreed with Orchard to assassinate the wife when Orchard wished to desert her.

Harry Orchard left Denver with crime in his heart. The impelling, compelling force came from Denver, George Pettibone, Orchard's back his confidant of murder in his trunk. Why is not Pettibone here to deny it? His silence is a confession of his guilt. Pettibone's absence is an absolute corroboration of Orchard."

# TO TEST THE LAW

Standard Oil Co. Thinks Interrogations Unconstitutional.

So Says Earl Evans, of Its Attorneys, in This State.

ANSWER TO QUESTIONS

Will Be Made Because They Are Unobjectionable.

But the Real Test in Case Will Come Up Later.

Earl Evans, of the firm of Stanley, Vermillion & Evans, is in Topeka today for a conference with J. D. McFarland and the attorney general concerning the suits which have been brought against the Standard Oil company and the International Harvester company.

Mr. Evans is speaking of the pending litigation said:

"We expect to answer all the interrogatories propounded by the state, but later on we will test the constitutionality of this act of 1907 which gives authority for such interrogations. The interrogatories are very fair and we have no objections to them. We are ready to give the state this information at any time. But the court does not like to have the law points argued piecemeal, so we will simply save exceptions on this interrogatory law, and present our arguments to the court later."

There are no special developments in these cases. We will answer the interrogatories as soon as ordered to do so by the court. My visit here is merely to confer with Judge McFarland about the case. Judge McFarland has been employed as associate counsel for the Standard Oil company."

Mr. Evans did not see Attorney General Jackson today because Mr. Jackson is out of town. He talked with Assistant Attorney General Dawson for some time, but says that the conference was not about the antitrust cases.

All the interrogatories which were filed in Wichita, Mr. Evans said: "I am tired of talking about prohibition. The joints are certainly closed in Wichita. I don't know why anybody should be drinking. There is no bluff about that."

ALL OVER WITH KOREA.

Marquis Ito Will Now Manage Affairs of the Empire.

Seoul, July 26.—The Korean anti bill has been altered to the very cells by the ex-emperor's second pledge of abdication. A wave of great excitement has swept over the peninsula today when the new agreement with Japan was announced and the emperor's proclamation published in the provinces.

All the prisoners have been attached to the court arrived in crowds at the palace, condoling, weeping, wailing and incidentally carrying away in their arms a large number of the emperor's detachable and portable. The palace was looted of all possible souvenirs.

The ex-emperor wept, saying that his office for many years had been a misfortune and that he should himself have taken the proposed course and was then unable to continue his speech.

Knowing that the affairs of state had passed to a new administration, he commended to the cabinet's benign care his son, the new emperor.

Viscount Hayashi, the Japanese minister of foreign affairs, received the Associated Press correspondent today and in an interview on the Korean situation said that the emperor's abdication was a great relief to him.

The provisions of the new agreement were anticipated in the protectorate agreement of 1905 and complete our obligations to the emperor and throne have been diminished. It is now possible to regulate all of the emperor's acts."

Arrangements have been made with the Japanese authorities to outfit a 4,000 Japanese blue jackets from the squadron now at Chemulpo, which the admiral in command has offered to Marquis Ito. But on account of military technicalities, they will not be called for except a great emergency arises that makes it absolutely necessary. A mixed brigade of probably 7,000 Kiu Shiu troops will begin arriving at Fusan this evening. Marquis Ito having finally consented to bring Japanese troops to Seoul on account of two urgent problems. First, the disarming of the Korean army, and second, the separating of the ex-emperor from his troops and advisers, both of which the cabinet is prepared to do as soon as there is a sufficient showing of troops to overcome any attempt at resistance and to quell any trouble that such action might occasion.

TO FIGHT RAILROADS.

Alabama Legislature Votes an Appropriation of \$50,000.

Montgomery, Ala., July 26.—The bill to appropriate \$50,000 for resisting the efforts made by the railroads to obtain rate regulation laws was passed by the house today and now goes to the governor, who is expected to sign it at once. The Alabama situation is somewhat similar to that in North Carolina, excepting that Governor Comer is not attempting to violate any of the orders of the federal court, being willing to let the matter be fought out in the courts.

Weather Indications. Chicago, July 26.—Forecast for Kansas: Fair tonight and Saturday; cooler in southern portion tonight; warmer Saturday.

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Minnesota Citizens Condemn Western Federation of Miners.

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At Chisholm today 200 foreigners who have been idle all week, went under guard to the Monroe Tenner and Glen locations to go to work. There was no disorder.

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Petrella went to the Stevenson mine yesterday and organized about 100 Italians, who immediately left some of the prominent Italians of Hibbing undid all of his work. They explained conditions more fully to the men who were ignorant of what they were doing and asked a man they despised the federation.

There was a report at Hibbing today that some men had been frightened by the strike leader, Petrella, and a deputy sheriff left to investigate. It is said big socialist plies will be held at both Hibbing and Eveleth Sunday morning.

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Many Facts Learned Regarding Plot to Kill the Czar.

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It is not known that women took the leading part in this conspiracy. The Russian woman, Madame Fedoskoff, wife of a well known St. Petersburg lawyer; a woman called "Comrade Nina," alias Petrova, who took the most prominent part in the activities and who succeeded in escaping to a foreign country; Boris Nikitenka, a retired naval lieutenant; and a moderate shoemaker, and three lawyers, Brussov, Chibrikoff and Savadsky.

The man actually chosen to kill the emperor was named Klossovsky. The plan of the conspirators was to have Klossovsky make his way into the presence of the emperor while clad in the uniform of a soldier.

The indictments detail the various strategies used by the plotters to obtain the information of the emperor's movements, the emperor, and show that espionage to this end was conducted in part through the medium of milkmaids who supplied the royal kitchen.

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Banker Magill's Neighbors Will Aid in His Prosecution.

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